

Dkt. No.: MST-012

SN: 10/003,602

REMARKS

Applicants have amended Claim 1 in accordance with the Examiner's suggestion, thereby overcoming informalities in this claim.

Applicants have amended Claim 6 to properly depend from Claim 3, thereby overcoming the indefiniteness rejection under 35 U.S.C. 112, second paragraph.

Claims 8-10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Gonzales et al. (U.S. Patent 6,101,614) in view of White (U.S. Patent 4,345,328).

Claim 8 recites "providing the first ECC value as long as the first write data value is stored in the first register".

The Examiner correctly indicates that Gonzales et al. fail to teach this element of Claim 8. The Examiner then indicates that White remedies this deficiency of Gonzales et al. However, Gonzales et al. teach that while write data is stored in the write data buffers (Fig. 3), the ECC code word generation unit (Fig. 3) may provide an ECC value associated with a value not stored in the write data buffer. More specifically, Gonzales et al. teach that while write data is stored in the write data buffers, the ECC code word generation unit may provide an ECC value associated with a read data value stored in the read data buffers (Fig. 3). (Gonzales et al., Col. 8, lines 23-28.) Because Gonzales et al. explicitly teach that the ECC code word generation unit must be able to provide an ECC value associated with a read data value stored in a read data buffer, even while a write data value remains stored in the write data buffer, Gonzales et al. teach away from "providing the first ECC value as long as the first write data value is stored in the first register" as recited by Claim 8. Because Gonzales et al.

Dkt. No.: MST-012

SN: 10/003,602

explicitly teach away from the step recited by Claim 8, it is not obvious to combine Gonzales et al. with White. Moreover, combining White with Gonzales et al. in the manner suggested by the Examiner would prevent Gonzales et al. from operating in the manner described.

For these reasons, Claim 8 is allowable over Gonzales et al. in view of White. Claims 9 and 10, which depend from Claim 8, are allowable over Gonzales et al. in view of White for at least the same reasons as Claim 8.

Claims 13-15 and 17-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Gonzales et al..

In interpreting Claims 13-19, the Examiner indicates that the symbol "/" can be interpreted as "or". However, such an interpretation would be contrary to the explicit language of Claims 13-19. For example, Claim 13 recites "wherein each data/ECC value includes a data value and a corresponding error correction code (ECC) value". (Emphasis added.) It is therefore improper for the Examiner to indicate that a "data/ECC value" as recited by Claim 13 can be met by only a data value (or only an ECC value).

Because the symbol "/" can not be properly interpreted as "or" in view of the explicit language of Claim 13, Gonzales et al. fail to teach "a write-back buffer configured to store the corrected first data-ECC value in response to the asserted error indicator signal" as recited by Claim 13. The arguments in support of this position are provided in Applicants response to the previous Office Action.

For these reasons, Claim 13 is allowable over Gonzales et al. Claims 14 and 15, which depend from Claim 13, are allowable over Gonzales et al. for at least the same reasons as Claim 13.

Dkt. No.: MST-012

SN: 10/003,602

Claim 17, which recites "whorcin each data/ECC value includes a data value and a corresponding error correction code (ECC) value" and "storing the first corrected data/ECC value ... in a write-back buffer" is allowable over Gonzales et al. for reasons similar to Claim 13. (Emphasis added.)

Claim 18, which depends from Claim 17, is allowable over Gonzales et al. for at least the same reasons as Claim 17.

Claim 19, which recites "wherein each data/ECC value includes a data value and a corresponding error correction code (ECC) value" and "a write-back buffer configured to store the corrected first data/ECC value" is allowable over Gonzales et al. for reasons similar to Claim 13. (Emphasis added.)

Because Claim 20 does not provide an explicit explanation of a "data/ECC value", Claim 20 is amended to provide clarity by removing the symbol "/", and reciting "storing the first corrected data and ECC value ... in a write-back buffer". (Emphasis added.) Claim 20, as clarified, is allowable over Gonzales et al. for reasons similar to Claim 13.

The Examiner has objected to Claims 11 and 12 as being dependent upon a rejected base claim. The Examiner has indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Because the Applicants believe that the rejected base Claim 8 is allowable for reasons provided above, the Applicants are not amending pending Claims 11 and 12 at this time.

Applicants note the allowance of Claims 1, 3, 4, 5 and 7.

Dkt. No.: MST-012

SN: 10/003,602

CONCLUSION

Claims 1 and 3-20 are pending in the present application. Claims 1, 3, 4, 5 and 7 are allowed, and Claims 11 and 12 are allowable. Reconsideration and allowance of Claims 6, 8-10, and 13-20 is requested. If the Examiner has any questions or comments, he is invited to call the undersigned at (925) 895-3545.

Respectfully submitted,



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CERTIFICATE OF TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being transmitted by facsimile to the Patent and Trademark Office.

Date: Nov. 3, 2005 Signature: Carrie Reddick